

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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IN RE: PHARMACEUTICAL INDUSTRY  
AVERAGE WHOLESALE PRICE  
LITIGATION

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) MDL No. 1456

) CIVIL ACTION: 01-CV-12257-PBS

THIS DOCUMENT RELATES TO:

) Judge Patti B. Saris

*State of Nevada v. American Home Products*  
*Corp., et al.*, CV No. 02-12086-PBS  
and  
*State of Montana v. Abbott Labs, Inc., et al.*,  
CV No. 02-12084-PBS

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**MOTION TO ENTER CASE MANAGEMENT ORDER NO. 15**

Plaintiffs, the States of Nevada and Montana move for entry of Case Management Order No. 15 (“CMO”). The parties had reached agreement on all dates. However, the Court directed the parties to try to have summary judgment briefed so that, if possible, the law clerk who departs in August 2006 would be able to assist. Plaintiffs believe that the attached schedule, which concludes summary-judgment briefing by May 1, 2006, accomplishes this objective. Defendants’ proposal, which accepts all of plaintiffs’ dates except for summary-judgment briefing, has summary-judgment briefing to be completed on June 12, 2006. Plaintiffs believe that this might not provide enough time for the clerk to complete the work that would be required.

DATED: April 21, 2005

By /s/ Steve W. Berman

Thomas M. Sobol (BBO#471770)

Edward Notargiacomo (BBO#567636)

Hagens Berman Sobol Shapiro LLP

One Main Street, 4th Floor

Cambridge, MA 02142

Telephone: (617) 482-3700

Facsimile: (617) 482-3003

**LIAISON COUNSEL**

Steve W. Berman

Sean R. Matt

Hagens Berman Sobol Shapiro LLP

1301 Fifth Avenue, Suite 2900

Seattle, WA 98101

Telephone: (206) 623-7292

Facsimile: (206) 623-0594

**SPECIAL ASSISTANT ATTORNEYS  
GENERAL FOR THE STATES OF  
MONTANA AND NEVADA**

**CERTIFICATE OF SERVICE**

I hereby certify that I, Steve W. Berman, an attorney, caused a true and correct copy of the foregoing, **MOTION TO ENTER CASE MANAGEMENT ORDER NO. 15** to be delivered to all counsel of record by electronic service pursuant to Paragraph 11 of the Case Management Order No. 2, by sending on April 21, 2005, a copy to Verilaw Technologies for Posting and notification to all parties

By /s/ Steve W. Berman  
Steve W. Berman  
**HAGENS BERMAN SOBOL SHAPIRO LLP**  
1301 Fifth Avenue, Suite 2900  
Seattle, WA 98101  
(206) 623-7292